

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

**IN RE: JOHNSON & JOHNSON
TALCUM POWDER PRODUCTS
MARKETING, SALES
PRACTICES, AND PRODUCTS
LIABILITY LITIGATION**

MDL No. 2738 (FLW) (LHG)

This document relates to:

Carol J. Williams, et al.,
No. 3:19-cv-18778

**DEFENDANTS JOHNSON & JOHNSON AND JOHNSON & JOHNSON
CONSUMER INC.'S RESPONSE TO PLAINTIFF CAROL WILLIAMS'S
ADDITIONAL STATEMENT OF MATERIAL FACTS NOT IN DISPUTE**

PLAINTIFF'S STATEMENT OF UNDISPUTED MATERIAL FACTS:	DEFENDANTS' RESPONSE¹:
1. Defendants advertised their talc products in magazines including Good Housekeeping Magazine.	1. Undisputed.
2. Defendants advertised their talc products in magazines including Teen Magazine.	2. Undisputed.
3. Defendants advertised their talc products in magazines including Seventeen Magazine.	3. Undisputed.

¹ Defendants' responses are for the sole purpose of the current Motion only. Defendants reserve the right to dispute any facts in any other cases, as we as throughout the remainder of this litigation, including at trial.

PLAINTIFF'S STATEMENT OF UNDISPUTED MATERIAL FACTS:	DEFENDANTS' RESPONSE¹:
4. Defendants advertised their talc products in magazines including Ebony Magazine.	4. Undisputed.
5. Defendants advertised their talc products in magazines including Better Homes and Gardens Magazine.	5. Undisputed.
6. Defendants advertised their talc products through TV advertising.	6. Undisputed.
7. Certain of Defendants' print advertising included the statement that Johnson & Johnson Baby Powder was "purest."	7. Undisputed.
8. Certain of Defendants' print advertising included the statement that Johnson & Johnson Baby Powder was "the purest" "since 1920."	8. Undisputed.
9. Certain of Defendants' print advertising included the statement that Johnson & Johnson Baby Powder was "best for baby . . . best for you."	9. Undisputed.
10. Certain Johnson & Johnson's Baby Powder labels included the statement that Johnson & Johnson Baby Powder was "pure."	10. Undisputed.
11. Certain Johnson & Johnson's Baby Powder labels included the statement that Johnson & Johnson Baby Powder provided "purest protection."	11. Undisputed.

PLAINTIFF'S STATEMENT OF UNDISPUTED MATERIAL FACTS:	DEFENDANTS' RESPONSE¹:
12. Certain Johnson & Johnson Baby Powder labels included the statement that Johnson & Johnson Baby Powder was “clinically proven.”	12. Undisputed.
13. Certain Johnson & Johnson Baby Powder labels included the statement that Johnson & Johnson Baby Powder ingredients were “talc and fragrance.”	13. Undisputed.
14. Certain of Defendants’ print advertising included the statement that Johnson & Johnson Baby Powder was “best for baby . . . best for you.”	14. Undisputed.
15. At no time did the label on Johnson Baby Powder contain any warning regarding ovarian cancer.	15. Undisputed.
16. At no time did the label on Johnson Shower to Shower contain any warning regarding ovarian cancer.	16. Undisputed.
17. At no time did the label on Johnson Baby Powder indicate it contained asbestos or potentially contained asbestos.	17. Undisputed.
18. At no time did the label on Johnson Shower to Shower indicate it contained asbestos or potentially contained asbestos.	18. Undisputed.

PLAINTIFF'S STATEMENT OF UNDISPUTED MATERIAL FACTS:	DEFENDANTS' RESPONSE¹:
19. Defendants issued a recall for Johnson talc-based Baby Powder in the United States or the first time in 2020.	19. Disputed as stated but not dispositive of this Motion. The cited document does not support this statement.
20. Carol Williams specifically asked her physician what the cause of her ovarian cancer might have been at the time of her diagnosis in 2007.	20. Undisputed.
21. Carol Williams was advised by her physician in 2007 that the cause of her ovarian cancer was unknown.	21. Undisputed.
22. Carol Williams was advised by her physician in 2007 that the cause of ovarian cancer was unknown.	22. Undisputed.
23. Carol Williams saw information regarding the possible link between talc and ovarian cancer for the first time in November 2016.	23. Undisputed.
24. Before November of 2016 Carol Williams had never seen any TV advertisements regarding talc and ovarian cancer.	24. Undisputed.
25. Before November of 2016 Carol Williams had never seen any articles regarding talc and ovarian cancer.	25. Undisputed.
26. Before November of 2016 Carol Williams had never heard of any lawsuits regarding talc and ovarian cancer.	26. Undisputed.

Dated: July 21, 2021

Respectfully submitted,

Brianna L. Silverstein
FAEGRE DRINKER BIDDLE
& REATH LLP
On the brief

/s/ Susan M. Sharko
Susan M. Sharko
FAEGRE DRINKER BIDDLE
& REATH LLP
600 Campus Drive
Florham Park, New Jersey 07932
Telephone: 973-549-7000
Facsimile: 973-360-9831
E-mail: susan.sharko@faegredrinker.com

John H. Beisner
Jessica D. Miller
SKADDEN, ARPS, SLATE,
MEAGHER & FLOM LLP
1440 New York Avenue, N.W.
Washington, D.C. 20005
Telephone: 202-371-7000

Attorneys for Defendants Johnson & Johnson and Johnson & Johnson Consumer Inc.

